

1 **IN THE UNITED STATES DISTRICT COURT**

2 **FOR THE DISTRICT OF ARIZONA**

3 IN RE BARD IVC FILTERS
4 PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

5 This Document Relates to Plaintiff Sam
6 Clark and Sophie Clark, 2:18-cv-00850-DGC

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8 **PLAINTIFF’S UNOPPOSED MOTION TO TERMINATE PARTY**
9 **AND AMEND THE COMPLAINT**

10 Plaintiff Sam Clark, by and through undersigned counsel, and pursuant to FRCP
11 25(a) and 15(a)(2) hereby move the Court to terminate Sophie Clark, as Plaintiff by way
12 of an Amended Short Form Complaint in the form attached hereto as Exhibit 1, and in
13 support, states as follows:

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- 15 1. Plaintiff Sam Clark was implanted with a Bard IVC Filter and subsequently
16 discovered injuries in 2017. Plaintiff retained undersigned counsel, who filed a
17 Complaint on his behalf against the Defendants for Plaintiff’s IVC Filter-related
18 injuries.
 - 19 2. This case is part of a settlement with Bard.
 - 20 3. Plaintiff’s spouse, Sophie Clark was also named as a plaintiff in this action for
21 damages, including loss of consortium.
 - 22 4. Sophie Clark unexpectedly passed away April 28, 2018.
 - 23 5. Plaintiff hereby submits an Amended Short Form Complaint, attached hereto as
24 Exhibit 1, which terminates Sophie Clark as Plaintiff, along with any claims for
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1 damages associated with Sophie Clark.

2 6. The death certificate of Sophie Clark is attached as Exhibit A to the Amended
3 Short Form Complaint.
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5 7. Counsel for Defendants has indicated that they have no objection to this motion.

6 WHEREFORE, Plaintiff respectfully requests that this Court grant Plaintiff's Unopposed
7 Motion to Terminate Party and Amend the Complaint and order the Clerk to file the
8 Amended Short Form Complaint, attached hereto as Exhibit 1.
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11 DATED: 09/21/2020

Respectfully Submitted,

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13 /s/ Stuart L. Goldenberg
14 Stuart L. Goldenberg (*pro hac vice*)
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